

DTS

FOR TEA USE ONLY:

Fee Paid: _____

Date Paid: _____

Receipt #: _____

Initials: _____

DRIVER EDUCATION SCHOOL LICENSE APPLICATION

TITLE 5, TEXAS EDUCATION CODE, CHAPTER 1001

TEXAS DRIVER AND TRAFFIC SAFETY EDUCATION

APPLICATION FEE:

**PRIMARY DRIVER EDUCATION SCHOOL – \$1,000
BRANCH DRIVER EDUCATION SCHOOL – \$850**

TEXAS EDUCATION AGENCY
1701 NORTH CONGRESS AVENUE
AUSTIN, TEXAS 78701-1494

(512) 936-6777

AUTHORITY FOR DATA COLLECTION: Title 5, Texas Education Code, Chapter 1001

PLANNED USE OF DATA: To provide information necessary to determine if the school meets the criteria for a Driver Education School License under Chapter 1001, Texas Driver and Traffic Safety Education.

INSTRUCTIONS: The Agency will not act upon any application until all required documentation and fees have been received. If additional clarification is required, contact Driver Training at (512) 936-6777.

MAIL CHECKS AND ALL ATTACHMENTS WITH THIS APPLICATION TO:

REGULAR MAIL:

TEXAS EDUCATION AGENCY – DTS
P.O. BOX 13717
AUSTIN, TEXAS 78711-3717

FOR OVERNIGHT EXPRESS MAIL:

COMPTROLLER OF PUBLIC ACCOUNTS
TREASURY OPERATIONS
BANKING & ELECTRONIC PROCESSING LOCKBOX
200 EAST TENTH STREET
AUSTIN, TEXAS 78701-2436

INFORMATION AND CERTIFICATION

1. LEGAL NAME OF SCHOOL:

Texas Business and Commerce Code Annotated, Section 36.11, requires an individual or partnership to register an assumed name with the appropriate county clerk's office. Corporations must register an assumed name with the secretary of state's office and the county clerk's office. **EVIDENCE OF REGISTRATION WITH THESE OFFICES MUST BE SUBMITTED TO VERIFY COMPLIANCE WITH STATE LAW.** (If a branch school is located in the same county as the primary school, submission of the assumed name registration is not required for the branch school.)

School/Branch Name: _____
(Branch schools must have the same name as the primary school.)

2. TYPE OF OWNERSHIP: (check one)

Schools owned by a partnership must submit a copy of the partnership agreement. Schools owned by a corporation must submit a copy of each stock certificate, issued and outstanding, and a copy of the articles of incorporation. (The evidence of ownership on file for a primary school will suffice for branch school applications.)

Individual Partnership Corporation Other legal entity _____
(Please provide an explanation)

3. LEGAL NAME OF OWNER:

*List the name of the individual or each partner who owns the school. If the school is owned by a corporation, the legal name of the corporation and name(s) of the primary stockholder(s) should be listed. (**Branch schools must have the same owner as the primary school.**)*

Owner Name: _____

4. PHYSICAL ADDRESS OF THE SCHOOL:

(Street)

(City) _____ (State) _____ (ZIP Code) _____

5. MAILING ADDRESS OF THE SCHOOL:

(Branch schools must have the same mailing address as the primary school.)

(Street)

(City) _____ (State) _____ (ZIP Code) _____

6. TELEPHONE NUMBER(S), FACSIMILE, AND E-MAIL ADDRESS(S) OF THE SCHOOL:

(*Voice1*) _____ (*Voice2*) _____ (*Facsimile*) _____

(E-Mail address1) (E-Mail address2)

7. SCHOOL DIRECTOR:

Name: _____

8. OWNER(S) INFORMATION:

List the individual; all partners; or all officers, directors, and/or trustees of a corporation. Corporations must list each shareholder owning stock aggregating at least 10% of the total issued and outstanding shares. SUBSIDIARY CORPORATIONS should list the parent corporation as stockholder. (Use an additional sheet, if necessary, and identify as Attachment 1.)

Name	Title	Address	Telephone #	% Owned

9. OWNER(S) PROFESSIONAL CONDUCT:

It is important that all questions be answered for each person listed on item #8. Applications without answers to any question in this section will be returned. If you answer YES to any question, an explanation is necessary. Use an additional page for each explanation and attach to this form.

NOTE: A felony conviction or any misdemeanor or felony convictions involving DWI over the past 7 years is grounds for denial or revocation of this license or application.

- A. Has your driver training instructor license or any diploma, teaching credentials, certificate, or any other license ever been denied, revoked, or suspended? YES NO
- B. Have you ever been found guilty of, pleaded guilty to, or entered a plea of "habeas corpus" to a charge of immoral or unprofessional conduct? YES NO
- C. Have you ever been dismissed or asked to resign from any position for immoral or unprofessional conduct? YES NO
- D. Have you ever been convicted or received deferred adjudication for a felony or misdemeanor? You do not need to list traffic tickets. YES NO
- E. Have you ever been sued for or charged with fraud or deceptive trade practices? YES NO
- F. Are you now involved with any charges, court proceedings, probation, parole, community supervision, or judgments pending against you? YES NO

10. OWNER(S) OR PRIMARY STOCKHOLDER(S) PERSONAL INFORMATION:

Name	Date of Birth	Driver's License #	Race	Sex

11. BUSINESS SIZE: (The information below is optional and is collected to determine how to process documentation from the school.)

(Check the appropriate box.)

- YES NO The corporation, partnership, sole proprietorship, or other legal entity was formed for the purpose of making a profit.
- YES NO The corporation, partnership, sole proprietorship, or other legal entity is independently owned and operated.
- YES NO The corporation, partnership, sole proprietorship, or other legal entity has fewer than 100 employees.
- YES NO The corporation, partnership, sole proprietorship, or other legal entity has less than \$1 million in annual gross receipts.

12. REQUIRED DOCUMENTS: (The following documents must be submitted with this application for licensure.)

- | | |
|--|--|
| <input type="checkbox"/> Bond | <input type="checkbox"/> Adult In-Car Instruction Program (DE-216C) |
| <input type="checkbox"/> Assumed Name Registration | <input type="checkbox"/> Classroom Make-up Policy (DE-219A) |
| <input type="checkbox"/> Partnership Agreement (if owned by partners) | <input type="checkbox"/> Contract Site Location (DE-220) (if applicable) |
| <input type="checkbox"/> Stock Certificate (issued and outstanding for corporations) | <input type="checkbox"/> Motor Vehicle Fleet (DE-222) |
| <input type="checkbox"/> Articles of Incorporation (if applicable) | <input type="checkbox"/> Motor Vehicle Statement of Assurance (DE-222B) |
| <input type="checkbox"/> Fee Sheet (DE-299) (with required fees paid) | <input type="checkbox"/> Instructor Evaluation (Classroom / In-Car) (DE-224) |
| <input type="checkbox"/> Facility Inspection (DE-8) (not required for Adult in-car only) | <input type="checkbox"/> Individual Student Classroom Record (DE-020-3-CR) |
| <input type="checkbox"/> Staff Roster (DT-211) | <input type="checkbox"/> Individual Student In-Car Instruction Record (DE-020-3-BTW) |
| <input type="checkbox"/> Personal Data Form (Director, Asst Director, Admin Staff Member) (DE-212) | <input type="checkbox"/> Student Enrollment List (DE-020-2) |
| <input type="checkbox"/> School Calendar (DT-213) | <input type="checkbox"/> Student Enrollment Contract (DE-005-1) |
| <input type="checkbox"/> Course Schedule (DE-214) | <input type="checkbox"/> Adult DE Syllabus (if teaching adult classroom) |
| <input type="checkbox"/> School Course List (DE-215) | <input type="checkbox"/> Adult In-Car Student Enrollment Contract (DE-005-2) (if applicable) |
| <input type="checkbox"/> Classroom Curriculum (DE-216A) | <input type="checkbox"/> Variance Policy (DE-227) (if you choose to implement) |
| <input type="checkbox"/> In-Car Curriculum (DE-216B) | <input type="checkbox"/> Student Evaluation (DE-223) |

13. OWNER'S AFFIDAVIT:

PLEASE NOTE: A separate affidavit must be submitted for each partner or corporate shareholder. Photocopy the following affidavit and have a copy completed and notarized by each partner or shareholder. Submit the additional affidavit(s) as part of the original application.

OWNER'S AFFIDAVIT

IF THE SCHOOL IS OWNED BY AN INDIVIDUAL, THE AFFIDAVIT MUST BE SIGNED BY THE INDIVIDUAL. IF THE SCHOOL IS OWNED BY A CORPORATION, THE AFFIDAVIT MUST BE SIGNED BY THE SHAREHOLDER(S) OWNING STOCK AGGREGATING AT LEAST 10% OF THE TOTAL ISSUED AND OUTSTANDING SHARES.

STATE OF _____, COUNTY OF _____, WHERE WITNESSED:

I, _____, BEING DULY SWORN, DEPOSE AND SAY THAT THE INFORMATION IN THIS APPLICATION AND ACCOMPANYING DOCUMENTATION IS TRUE AND CORRECT, AND I UNDERSTAND THAT PURPOSELY SUBMITTING FALSE OR MISLEADING INFORMATION ON THIS APPLICATION MAY SUBJECT ME TO A FINE, A PRISON SENTENCE, OR BOTH.

I UNDERSTAND THAT THE SCHOOL MUST BE OPERATED IN COMPLIANCE WITH ALL CODE AND RULES AS CITED IN TITLE 5, TEXAS EDUCATION CODE, CHAPTER 1001 AND THE TEXAS ADMINISTRATIVE CODE, WHICH INCLUDE, BUT ARE NOT LIMITED TO:

- A. The school will furnish to each student, prior to enrollment, a copy of the schedule of tuition, fees, refund policy and other charges, regulations pertaining to absence, grading policy, rules of operation and conduct, and the name, mailing address, and telephone number of the agency for the purpose of directing complaints to the agency.
- B. All advertising by the school will contain the school name or school number exactly as it appears on the school license.
- C. The school will not use erroneous or misleading advertising, either by actual statement, omission, or intimation.
- D. The school will meet all legal requirements pertaining to classroom facilities.
- E. The school will make available the records and necessary data for inspection by authorized representatives of the Texas Education Agency as required for approval under Chapter 1001, Texas Driver and Traffic Safety Education.
- F. The school will submit to the Division of Driver Training prior notice of any changes to this application and/or exhibits.
- G. Prospective students will not be denied admission on the basis of race, religion, color, national origin, sex, handicap, or age (except where age, sex, or handicap constitutes a bona fide occupational qualification necessary to proper and efficient administration).
- H. The school will not exceed the enrollment limitations and pupil-teacher ratios established by Code and/or Rule.
- I. The school will maintain at the school all required Lease Agreements, Certificate of Occupancy, and the Fire Inspection Report for the school facility and additional classroom locations (if required).
- J. The school will maintain at the school any agreements/contracts to teach driver education courses at public or private schools.
- K. The school will retain records for at least three (3) years for all students who graduated, withdrew, or who were terminated.
- L. The school will not falsify driver education records.
- M. The school will complete, issue, or validate a certificate of course completion only for a person who has successfully completed the entire course.
- N. The school will authorize, approve, or conduct instruction in motor vehicles that meet the requirements established by Rule.
- O. The school will ensure driver education classroom and in-car instruction is conducted in accordance with Code and Rule.
- P. The school will ensure that at least once annually each teaching assistant and teaching assistant (full) will be evaluated in accordance with Rule.
- Q. It is understood that all fees paid to the Texas Education Agency are nonrefundable.

I DO HEREBY AGREE, CONSENT, AND DIRECT THAT ANY PERSON OR ENTITY MAINTAINING INFORMATION IN ANY FORM RELATING TO MY CRIMINAL HISTORY SHALL RELEASE ALL SUCH INFORMATION UPON THE REQUEST OF THE TEXAS EDUCATION AGENCY.

I DO FURTHER HEREBY AGREE AND PERMIT THE TEXAS EDUCATION AGENCY TO OBTAIN FROM ANY PERSON OR ENTITY INFORMATION RELATING TO MY PERSONAL BACKGROUND, REPUTATION, AND CHARACTER, AND DO HEREBY EXPRESSLY DIRECT THAT ANY SUCH PERSON OR ENTITY RELEASE SUCH INFORMATION UPON THE REQUEST OF THE TEXAS EDUCATION AGENCY.

I DO HEREBY RELEASE, DISCHARGE, AND EXONERATE THE TEXAS EDUCATION AGENCY, ITS AGENTS OR REPRESENTATIVES, AND ANY PERSON OR ENTITY SO FURNISHING INFORMATION FROM ANY AND ALL LIABILITY OF EVERY KIND ARISING THEREFROM.

I UNDERSTAND THAT ANY CREDENTIAL ISSUED TO ME BY THE TEXAS EDUCATION AGENCY IS THE PROPERTY OF THE STATE OF TEXAS. I AGREE THAT I WILL TENDER MY CREDENTIAL TO THE TEXAS EDUCATION AGENCY IF I AM ORDERED TO DO SO BY THE AGENCY.

I UNDERSTAND THAT A COPY OF THE AFFIDAVIT SHALL HAVE THE SAME FORCE AS THE ORIGINAL.

THE FOREGOING CONSENT AND RELEASE IS VALID AND BINDING SO LONG AS I HOLD OR SEEK ANY LICENSE OR APPROVAL UNDER THE AUTHORITY OF TITLE 5, TEXAS EDUCATION CODE, CHAPTER 1001.

X

(Signature of Owner, Partner, or Corporate Shareholder)

(Printed Name of Owner, Partner, or Corporate Shareholder)

SUBSCRIBED AND SWORN BEFORE ME THIS

_____ DAY OF _____, 20_____

SEAL

(Notary Public)

(Commission Expires)